

500 Bausch & Lomb Place
Rochester, NY 14604



P 855-227-5072 F 585-454-0302
bkinbox@woodsdefaultservices.com

November 17, 2021

Honorable Elizabeth S. Stong
Conrad B Duberstein US Courthouse
271-C Cadman Plaza East
Brooklyn, NY 11201-1800

Re: Michael Krichevsky
BK Case No.: 1-19-43516-ess
AP Case No.: 1-21-01013-ess

Dear Hon. Judge Stong:

We are in receipt of Debtor's reply affidavit and memorandum of law in opposition to Motion for a Protective Order filed on November 15, 2021 in the 1-19-43516 case. Debtor's filing is attempting to oppose a motion that has already been granted by order entered on August 9, 2021 under Adversary Doc 66 and attached hereto. We hereby respectfully request that Debtor's opposition filed under Doc 242 be marked as moot.

If you have any questions please let me know at the above phone number or email.

Very truly yours,

/s/ Aleksandra K. Fugate

Aleksandra K. Fugate, Esq.

Cc: Michael Krichevsky
Office of the United States Trustee

The law firm of Woods Oviatt Gilman LLP and the attorneys whom it employs are debt collectors who are attempting to collect a debt. Any information obtained by them will be used for that purpose.

100400-14

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

MICHAEL KRICHEVSKY

Debtor In Possession

**Case No. 1-19-43516-ess
Chapter 11**

**ORDER GRANTING
MOTION FOR A
PROTECTIVE ORDER**

MICHAEL KRICHEVSKY

Plaintiff Under Duress, DIP

vs.

**Adversary Proceeding No.:
1-21-01013**

**US BANK, NA, WELLS FARGO BANK, NA, WELLS
FARGO HOME MORTGAGE, KELLY DUNCAN,
WELLS FARGO HOME MORTGAGE, STEPHANIE
TERESE TAUTGE, DANIEL V. EDWARD, BANC OF
AMERICA FUNDING CORPORATION, VERIPRISE
PROCESSING SOLUTIONS LLC, CHARIE LENISE
GLADDEN, WOODS OVIATT GILMAN, LLP
DONALD W. O'BRIEN, JR., NATALIE A. GRIGG,
ALEKSANDRA K. FUGATE, BRITTANY J. MAXON,
DAVID BRUCE WILDERMUTH, BRETTANIE L.
HART SAXTON, VICTORIA E. MUNIAN, MICHAEL
THOMAS JABLONSKI, MIRANDA L. SHARLETTE
A/K/A MIRANDA JAKUBEC, FRENKEL LAMBERT
WEISS WEISMAN GORDON, LLP, BARRY WEISS,
PROVEST, LLC, WOODY DORSONNE, REED SMITH
LLP, NATSAYI MAWERE, JENNIFER L. ACHILLES,
ESTATE OF ~~DISEASED~~ DECEASED NOACH DEAR,
SHMUEL TAUB, STEVEN J. BAUM, P.C. STEVEN J.
BAUM, ELPINIKI M. BECHAKAS, JANE AND JOHN
DOE 1- 100, INDIVIDUALS NAMES TO BE
DISCOVERED,**

Defendants.

Upon the Motion for a Protective Order dated July 14, 2020 of Natalie A. Grigg, Esq.
("Grigg") for an order pursuant to Federal Rule of Civil Procedure 26(c) as incorporated by

Federal Rule of Bankruptcy Procedure 7026 striking Debtor In Possession Michael Krichevsky's ("Debtor") First Combined Discovery Requests as issued against Natalie A. Grigg, individually; and

WHEREAS, this Court held a hearing on July 28, 2021, at which the Debtor, the United States Trustee, Frenkel Lambert Weiss Weisman & Gordon, LLP, Barry M. Weiss, Esq., Wells Fargo Bank, N.A., as servicing agent for U.S. Bank National Association, Woods Oviatt Gilman LLP, Ms. Grigg, Aleksandra K. Fugate, Esq., Brettanie L. Hart Saxton, Esq., Brittany J. Maxon, Esq., David Bruce Wildermuth, Esq., Victoria E. Munian, Esq., Michael Thomas Jablonski, Esq., Donald W. O'Brien, Jr., Esq., Miranda L. Shartlette a/k/a Miranda Jakubec, Esq., Victoria E. Munian, Esq., U.S. Bank National Association, as Trustee for Banc of America Funding Corporation Mortgage, ProVest LLC, Woody Dorsonne, Steven J. Baum, P.C., Steven J. Baum, Esq., Elpiniki M. Bechakas, Esq., Select Portfolio Servicing, Inc., Banc of America Funding Corporation, Reed Smith LLP, Natsayi Mawere, Esq., Jennifer L. Achilles, Esq., Kelly Duncan, Stephanie Terese Tautge, Daniel V. Edward, and Charice Lenise Gladden appeared and were heard; and having considered the evidence presented, and the arguments of the parties, and with good cause appearing therefor; it is hereby

WHEREAS, at the July 28, 2021 hearing, the Court granted the Motion for a Protective Order on grounds, among others, that the Debtor's First Combined Discovery Requests seeks solely information that Ms. Grigg, the subject of the requests, learned in the context of her representation of her client and, therefore, seeks information that is protected from discovery by the attorney client privilege and attorney work product doctrine.

NOW THEREFORE, it is hereby

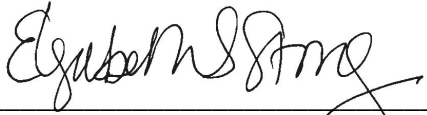
ORDERED that the Motion for a Protective Order is hereby granted in its entirety, without

prejudice to allow Debtor to submit discovery demands to an appropriate party for the reasons stated herein, and based on the entire record, including the record of the July 28, 2021 hearing, the Motion for a Protective Order is granted; and it is further

ORDERED, that this relief is without prejudice to a request for discovery that seeks information that is not protected from discovery by the attorney client privilege, the attorney work product doctrine, or other applicable privilege or doctrine under the Bankruptcy Code, the Bankruptcy Rules, and the Federal Rules of Civil Procedure.

Dated: Brooklyn, New York
August 9, 2021




Elizabeth S. Stong
United States Bankruptcy Judge